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TRANSMITTAL FORM

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/679158
	Filing Date	October 3, 2003
	First Named Inventor	Thomas A. Russell
	Art Unit	3739
	Examiner Name	
Total Number of Pages in This Submission		Attorney Docket Number 50642/287729

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Form PTO/SB/08 (11 sheets) 2. 107 publications		
<table border="1"> <tr> <td>Remarks</td> <td></td> </tr> </table>			Remarks	
Remarks				

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Michael A. Bertelson, Reg. No. 54,713
Signature	
Date	Sept. 22, 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Thomas
A. RUSSELL, et al.

SERIAL NO.: 10/679,158 Group Art Unit: 3739

FILED: October 3, 2003 EXAMINER:

FOR: SURGICAL POSITIONERS

ATTORNEY DOCKET NO.: 50642/287729

DATE: September 22, 2005

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INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with Rules 56, 97 and 98 of the Rules of Practice in Patent Cases (37 C.F.R. §§ 1.56, 1.97, and 1.98), the publications listed on the modified Form PTO/SB/08 are cited for consideration by the Examiner. The Office has waived the requirement under 37 C.F.R. 1.98(a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003. Therefore, Applicants are not providing copies of the cited U.S. patent and U.S. patent applications at this time. Copies of the non-U.S. patent documents are submitted with this paper.

Submission of the references provided in this Information Disclosure is not intended to constitute an admission that any reference referred to herein is prior art for this invention unless specially designated as such. Also, in accordance with 37 C.F.R. § 1.97(g), the filing of this

Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

This Information Disclosure Statement is being filed pursuant to 37 C.F.R. 1.97(b), before issuance of a first Office action on the merits. Applicant believes that no fee is due for submission and consideration of this paper. The Commissioner is authorized to charge any fees associated with this filing or credit any overpayment to Deposit Account No. 11-0855.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael A. Bertelson", written over a horizontal line.

Michael A. Bertelson
Reg. No. 54,713

KILPATRICK STOCKTON LLP
Suite 2800, 1100 Peachtree Street
Atlanta, Georgia 30309-4530
(404) 815-6291

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ADDITIONAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 11

Complete if Known

Application Number 10/679,158
 Filing Date October 3, 2003
 First Named Inventor Thomas A. Russell
 Art Unit 3739
 Examiner Name DAVIS, Daniel J.
 Attorney Docket Number 50642/287729

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
	1.	US2001/0001120A1	05/10/2001	Masini	
	2.	US2001/0014772A1	08/16/2001	Lampotang, <i>et al.</i>	
	3.	US2001/0016745A1	08/23/2001	Bullivant, <i>et al.</i>	
	4.	US2001/0039421 A1	11/08/2001	Heilbrun, <i>et al.</i>	
	5.	US2002/0002330 A1	01/03/2002	Vilsmeier	
	6.	US2002/0002365A1	01/03/2002	Lechot	
	7.	US2002/0016540 A1	02/07/2002	Mikus, <i>et al.</i>	
	8.	US2002/0029041 A1	03/07/2002	Hover, <i>et al.</i>	
	9.	US2002/0038085A1	03/28/2002	Immerz	
	10.	US2002/0052606 A1	05/02/2002	Bonutti	
	11.	US2002/0065461A1	05/30/2002	Cosman	
	12.	US2002/0068942 A1	06/06/2002	Neubauer, <i>et al.</i>	
	13.	US2002/0072748 A1	06/13/2002	Robioneck	
	14.	US2002/0077540A1	06/20/2002	Kienzle, III	
	15.	US2002/077533 A1	06/20/2002	Bieger, <i>et al.</i>	
	16.	US2002/0085681 A1	07/04/2002	Jensen	
	17.	US2002/0087101A1	07/04/2002	Barrick, <i>et al.</i>	
	18.	US2002/0095081 A1	07/18/2002	Vilsmeier	
	19.	US2002/0107518 A1	08/08/2002	Neubauer, <i>et al.</i>	
	20.	US2002/011594A1	01/31/2002	DeSouza	
	21.	US2002/0133161 A1	09/19/2002	Axelson, <i>et al.</i>	
	22.	US2002/0151898 A1	10/17/2002	Sohnngen, <i>et a.</i>	
	23.	US2002/0156371A1	10/24/2002	Hedlund, <i>et al.</i>	
	24.	US2002/0156479A1	10/24/2002	Schulzki, <i>et al.</i>	
	25.	US2002/0188194A1	12/12/2002	Cosman	
	26.	US2002/0193800 A1	12/19/2002	Kienzle, III, <i>et al.</i>	
	27.	US2002/0198531 A1	12/26/2002	Millard, <i>et al.</i>	
	28.	US2002/0198448A1	12/26/2002	Zuk, <i>et al.</i>	
	29.	US2003/0018338A1	01/23/2003	Axelson, Jr., <i>et al.</i>	
	30.	US2003/0045883A1	03/06/2003	Chow, <i>et al.</i>	
	31.	US2003/0153829 A1	08/14/2003	Sarin, <i>et al.</i>	
	32.	US2003/0153859	08/14/2003	Hinshon	
	33.	US2003/0153978A1	08/14/2003	Whiteside	
	34.	US2003/0164172 A1	09/04/2003	Chumas, <i>et al.</i>	
	35.	US2003/0187452A1	10/02/2003	Smith <i>et al.</i>	
	36.	US2003/192557 A1	10/16/2003	Krag, <i>et al.</i>	
	37.	US2004/0019382	01/29/2004	Amirouche, <i>et al.</i>	
	38.	US2004/0260290	12/23/2004	Zander <i>et al.</i>	

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Sheet 2 of 11

Complete if Known

Application Number	10/679,158
Filing Date	October 3, 2003
First Named Inventor	Thomas A. Russell
Art Unit	3739
Examiner Name	DAVIS, Daniel J.
Attorney Docket Number	50642/287729

39.	US2005/0075632 A1	04/07/2005	Russell, <i>et al.</i>	
40.	US2005/0085822 A1	04/21/2005	Thornberry, <i>et al.</i>	
41.	1,076,971	10/28/1913	Geiger	
42.	1,201,467	10/17/1916	Hoglund	
43.	2,092,869	09/14/1937	Baum	
44.	3,412,733	11/26/1968	Ross	
45.	3,702,611	11/14/1972	Fishbein	
46.	4,305,394	12/15/1981	Bertuch, Jr.	
47.	4,323,080	04/06/1982	Melhart	
48.	4,421,112	12/20/1983	Mains, <i>et al.</i>	
49.	4,457,307	07/03/1984	Stillwell	
50.	4,483,554	11/20/1984	Ernst	
51.	4,524,766	06/25/1985	Petersen	
52.	4,534,364	08/13/1985	Lamoreux	
53.	4,566,448	01/28/1986	Rohr, Jr.	
54.	4,567,885	02/04/1986	Androphy	
55.	4,567,886	02/04/1986	Petersen	
56.	4,712,951	12/15/1987	Brown	
57.	4,718,413	01/12/1988	Johnson	
58.	4,722,056	01/26/1988	Roberts, <i>et al.</i>	
59.	4,759,350	07/26/1988	Dunn, <i>et al.</i>	
60.	4,802,468	02/07/1989	Powlan	
61.	4,803,976	02/14/1989	Frigg, <i>et al.</i>	
62.	4,875,475	10/24/1989	Comte, <i>et al.</i>	
63.	4,892,093	01/09/1990	Zarnowski, <i>et al.</i>	
64.	4,913,163	04/03/1990	Roger, <i>et al.</i>	
65.	4,952,213	08/28/1990	Bowman, <i>et al.</i>	
66.	4,964,862	10/23/1990	Arms	
67.	5,002,545	03/26/1991	Whiteside, <i>et al.</i>	
68.	5,037,423	08/06/1991	Kenna	
69.	5,053,039	10/01/1991	Hofmann, <i>et al.</i>	
70.	5,078,719	01/07/1992	Schreiber	
71.	5,092,869	03/03/1992	Waldron	
72.	5,116,338	05/26/1992	Poggie, <i>et al.</i>	
73.	5,122,144	06/16/1992	Bert, <i>et al.</i>	
74.	5,129,909	07/14/1992	Sutherland	
75.	5,190,547	03/02/1993	Barber, Jr., <i>et al.</i>	
76.	5,213,312	05/25/1993	MacDonald	
77.	5,217,499	06/08/1993	Shelley	
78.	5,230,338	07/27/1993	Allen, <i>et al.</i>	
79.	5,246,444	09/21/1993	Schreiber	
80.	5,254,119	10/19/1993	Schreiber	

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81.	5,289,826	03/01/1994	Kovacevic	
82.	5,360,016	11/01/1994	Kovacevic	
83.	5,364,402	11/15/1994	Mumme, et al.	
84.	5,379,133	01/03/1995	Kirk	
85.	5,383,454	01/24/1995	Bucholz	
86.	5,395,376	03/07/1995	Caspari, et al.	
87.	5,423,828	06/13/1995	Benson	
88.	5,425,355	06/20/1995	Kulick	
89.	5,449,360	09/12/1995	Schreiber	
90.	5,462,548	10/31/1995	Pappas, et al.	
91.	5,462,549	10/31/1995	Glock	
92.	5,468,244	11/21/1995	Attfield, et al.	
93.	5,470,354	11/28/1995	Hershberger, et al.	
94.	5,474,559	12/12/1995	Bertin, et al.	
95.	5,486,178	01/23/1996	Hodge	
96.	5,490,854	02/13/1996	Fisher, et al.	
97.	5,491,510	02/13/1996	Gove	
98.	5,507,824	04/16/1996	Lennox	
99.	5,514,139	05/07/1996	Goldstein, et al.	
100.	5,517,990	05/21/1996	Kalfas, et al.	
101.	5,540,691	07/30/1996	Elmstrom, et al.	
102.	5,540,695	07/30/1996	Levy	
103.	5,540,696	07/30/1996	Booth, Jr., et al.	
104.	5,569,260	10/29/1996	Petersen	
105.	5,597,379	01/28/1997	Haines, et al.	
106.	5,598,269	01/28/1997	Kitaevich, et al.	
107.	5,613,969	03/25/1997	Jenkins, Jr.	
108.	5,643,272	07/01/1997	Haines, et al.	
109.	5,658,290	08/19/1997	Lechot	
110.	5,669,914	09/23/1997	Eckhoff	
111.	5,676,668	10/14/1997	McCue, et al.	
112.	5,682,886	11/04/1997	Delp, et al.	
113.	5,695,501	12/09/1997	Carol, et al.	
114.	5,702,406	12/30/1997	Vilsmeier, et al.	
115.	5,707,370	01/13/1998	Berki, et al.	
116.	5,709,689	01/20/1998	Ferrante, et al.	
117.	5,715,836	02/10/1998	Kliegis, et al.	
118.	5,716,361	02/10/1998	Masini	
119.	5,720,752	02/24/1998	Elliott, et al.	
120.	5,722,978	03/03/1998	Jenkins, Jr.	
121.	5,733,292	05/31/1998	Gustilo, et al.	
122.	5,735,904	04/07/1998	Pappas	

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123.	5,743,915	04/28/1998	Bertin, <i>et al.</i>	
124.	5,755,725	05/26/1998	Druais	
125.	5,755,803	05/26/1998	Haines, <i>et al.</i>	
126.	5,772,593	06/30/1998	Hakamata	
127.	5,776,064	07/07/1998	Kalfas, <i>et al.</i>	
128.	5,782,842	07/21/1998	Kloess, <i>et al.</i>	
129.	5,800,352	09/01/1998	Ferre, <i>et al.</i>	
130.	5,800,438	09/01/1998	Tuke, <i>et al.</i>	
131.	5,810,827	09/22/1998	Haines, <i>et al.</i>	
132.	5,810,841	09/22/1998	McNeirney, <i>et al.</i>	
133.	5,817,097	10/06/1998	Howard, <i>et al.</i>	
134.	5,848,967	12/15/1998	Cosman	
135.	5,850,836	12/22/1998	Steiger, <i>et al.</i>	
136.	5,860,981	01/19/1999	Bertin, <i>et al.</i>	
137.	5,879,352	03/09/1999	Filoso, <i>et al.</i>	
138.	5,879,354	03/09/1999	Haines, <i>et al.</i>	
139.	5,885,296	03/23/1999	Masini	
140.	5,885,297	03/23/1999	Matsen, III	
141.	5,916,221	06/29/1999	Hodorek, <i>et al.</i>	
142.	5,920,395	07/06/1999	Schulz	
143.	5,921,992	07/13/1999	Costales, <i>et al.</i>	
144.	5,925,049	07/20/1999	Gustilo, <i>et al.</i>	
145.	5,935,128	08/10/1999	Carter, <i>et al.</i>	
146.	5,938,665	08/17/1999	Martin	
147.	5,944,722	08/31/1999	Masini	
148.	5,947,973	09/07/1999	Masini	
149.	5,951,561	09/14/1999	Pepper, <i>et al.</i>	
150.	5,957,926	09/28/1999	Masini	
151.	5,961,523	10/05/1999	Masini	
152.	5,971,989	10/26/1999	Masini	
153.	5,980,526	11/09/1999	Johnson, <i>et al.</i>	
154.	5,999,837	12/07/1999	Messner, <i>et al.</i>	
155.	6,001,106	12/14/1999	Ryan, <i>et al.</i>	
156.	6,002,859	12/14/1999	DiGioia III, <i>et al.</i>	
157.	6,006,126	12/21/1999	Cosman	
158.	6,007,537	12/28/1999	Burkinshaw, <i>et al.</i>	
159.	6,010,506	01/04/2000	Gosney, <i>et al.</i>	
160.	6,011,987	01/04/2000	Barnett	
161.	6,016,606	01/25/2000	Oliver, <i>et al.</i>	
162.	6,021,342	02/01/2000	Brabrand	
163.	6,021,343	02/01/2000	Foley, <i>et al.</i>	
164.	6,022,377	02/08/2000	Nuelle, <i>et al.</i>	

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First Named Inventor	Thomas A. Russell
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165.	6,026,315	02/15/2000	Lenz, et al.	
166.	6,030,391	02/29/2000	Brainard, et al.	
167.	6,033,410	03/07/2000	McLean, et al.	
168.	6,041,249	03/21/2000	Regn	
169.	6,044,291	03/28/2000	Rockseisen	
170.	6,050,724	04/18/2000	Schmitz, et al.	
171.	6,053,922	04/25/2000	Krause, et al.	
172.	6,056,756	05/02/2000	Eng, et al.	
173.	6,068,633	05/30/2000	Masini	
174.	6,077,269	06/20/2000	Masini	
175.	6,081,336	06/27/2000	Messner, et al.	
176.	6,102,916	08/15/2000	Masini	
177.	6,132,433	10/17/2000	Whelan	
178.	6,143,390	11/07/2000	Takamiya, et al.	
179.	6,144,875	11/07/2000	Schweikard, et al.	
180.	6,148,280	11/14/2000	Kramer	
181.	6,161,033	12/12/2000	Kuhn	
182.	6,162,190	12/19/2000	Kramer	
183.	6,167,292	12/26/2000	Badano, et al.	
184.	6,167,295	12/26/2000	Cosman	
185.	6,168,627 B1	01/02/2001	Huebner	
186.	6,185,315 B1	02/06/2001	Schmucker, et al.	
187.	6,187,010 B1	02/13/2001	Masini	
188.	6,190,395 B1	02/20/2001	Williams	
189.	6,195,168 B1	02/27/2001	De Lega, et al.	
190.	6,197,064	03/06/2001	Haines, et al.	
191.	6,211,976 B1	04/03/2001	Popovich, et al.	
192.	6,214,011 B1	04/10/2001	Masini	
193.	6,216,029 B1	04/10/2001	Paltieli	
194.	6,223,067 B1	04/24/2001	Vilsmeier, et al.	
195.	6,228,090 B1	05/08/2001	Waddell	
196.	6,241,735 B1	06/05/2001	Marmulla	
197.	6,258,095 B1	07/10/2001	Lombardo, et al.	
198.	6,258,096 B1	07/10/2001	Seki	
199.	6,264,647 B1	07/24/2001	Lechot	
200.	6,283,971 B1	09/04/2001	Temeles	
201.	6,317,616 B1	11/13/2001	Glossop	
202.	6,333,971 B2	12/25/2001	McCrory, et al.	
203.	6,344,853 B1	02/05/2002	Knight	
204.	6,351,661 B1	02/26/2002	Cosman	
205.	6,377,839 B1	04/23/2002	Kalfas, et al.	
206.	6,405,072 B1	06/11/2002	Cosman	

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Art Unit

3739

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DAVIS, Daniel J.

Attorney Docket Number

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207.	6,413,261 B1	07/02/2002	Grundeir	
208.	6,434,507 B1	08/13/2002	Clayton, <i>et al.</i>	
209.	6,440,140 B2	08/27/2002	Bullivant, <i>et al.</i>	
210.	6,451,059 B1	09/17/2002	Janas, <i>et al.</i>	
211.	6,458,135 B1	10/01/2002	Harwin, <i>et al.</i>	
212.	6,468,202 B1	10/22/2002	Irion, <i>et al.</i>	
213.	6,477,400	11/ 05/2002	Barrick	
214.	6,478,799	11/12/2002	Williamson	
215.	6,490,467 B1	12/03/2002	Bucholz, <i>et al.</i>	
216.	6,491,429 B1	12/10/2002	Suhm	
217.	6,491,702 B2	12/10/2002	Heilbrun, <i>et al.</i>	
218.	6,503,249	01/ /2003	Krause, William R.	
219.	6,503,254 B2	01/07/2003	Masini	
220.	6,527,443 B1	03/04/2003	Vilsmeier, <i>et al.</i>	
221.	6,540,739 B2	04/01/2003	Lechot	
222.	6,546,279 B1	04/08/2003	Bova, <i>et al.</i>	
223.	6,551,324 B2	04/22/2003	Muller	
224.	6,551,325 B2	04/22/2003	Neubauer, <i>et al.</i>	
225.	6,558,391 B2	05/06/2003	Axelsson, Jr., <i>et al.</i>	
226.	6,558,421	05/06/2003	Fell, <i>et al.</i>	
227.	6,567,687 B2	05/20/2003	Front, <i>et al.</i>	
228.	6,574,493 B2	06/03/2003	Rasche, <i>et al.</i>	
229.	6,595,997 B2	07/22/2003	Axelsson, Jr., <i>et al.</i>	
230.	6,602,259 B1	08/05/2003	Masini	
231.	6,620,268	09/16/2003	Cho, <i>et al.</i>	
232.	6,640,127 B1	10/28/2003	Kosaka, <i>et al.</i>	
233.	6,652,142 B2	11/25/2003	Launay, <i>et al.</i>	
234.	6,662,036 B2	12/09/2003	Cosman	
235.	6,673,077 B1	01/06/2004	Katz	
236.	6,685,711	02/03/2004	Axelsson, Jr., <i>et al.</i>	
237.	6,692,447 B1	02/17/2004	Picard	
238.	6,695,848	02/24/2004	Haines	
239.	6,702,821	03/09/2004	Bonutti	
240.	6,711,431 B2	03/23/2004	Sarin, <i>et al.</i>	
241.	6,712,823 B2	03/30/2004	Grusin, <i>et al.</i>	
242.	6,712,824 B2	03/30/2004	Millard, <i>et al.</i>	
243.	6,716,249 B2	04/06/2004	Hyde	
244.	6,725,082	04/20/2004	Sati, <i>et al.</i>	
245.	6,780,190 B2	08/24/2004	Maroney	
246.	6,827,723 B2	12/07/2004	Carson	

2104223

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Application Number	10/679,158
Filing Date	October 3, 2003
First Named Inventor	Thomas A. Russell
Art Unit	3739
Examiner Name	DAVIS, Daniel J.
Attorney Docket Number	50642/287729

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ² - Number ⁴ - Kind Code ⁵ (if known)				
	247.	WO 94/17733	08/18/1994	WIPO		
	248.	WO 95/15714	06/15/1995	WIPO		
	249.	WO 96/35387	11/14/1996	WIPO		
	250.	WO 97/16129	05/09/1997	WIPO		
	251.	WO 97/23172	07/03/1997	WIPO		
	252.	WO 98/46169	10/22/1998	WIPO		
	253.	WO 98/29032	07/09/1998	WIPO		
	254.	WO 99/15097	04/01/1999	WIPO		
	255.	WO 99/27860	06/10/99	WIPO		
	256.	WO 99/60939	12/02/1999	WIPO		
	257.	WO 99/65380	12/23/1999	WIPO		
	258.	WO 00/00093	01/06/2000	WIPO		Abstr
	259.	WO 00/21442	04/20/2000	WIPO		
	260.	WO 00/47103	08/17/2000	WIPO		
	261.	WO 00/64367	11/02/2000	WIPO		
	262.	WO 01/01845 A2	01/11/2001	WIPO		
	263.	WO 01/19271 A2	03/22/2001	WIPO		
	264.	WO 01/64124 A1	09/07/2001	WIPO		
	265.	WO 01/67979 A1	09/20/2001	WIPO		
	266.	WO 01/93770 A1 = PCT/GB01/02523	12/13/2001	WIPO		
	267.	WO 01/91647 A1	12/06/2001	WIPO		Abstr
	268.	WO 02/041794 A1	05/30/2002	WIPO		
	269.	WO 02/063236 A1 & A3	08/2002	WIPO		
	270.	WO 02/064042	08/22/02	WIPO		
	271.	WO 02/067783	09/06/2002	WIPO		
	272.	WO 02/067784	09/06/2002	WIPO		
	273.	WO 02/067800	09/06/2002	WIPO		
	274.	WO 02/080824 A1	10/17/2002	WIPO		
	275.	WO 03/034933 A1	05/01/2003	WIPO		
	276.	WO 03/041566 A2	05/22/2003	WIPO		
	277.	WO 03/065949A2	08/14/2003	WIPO		
	278.	WO 03/075740 A2	09/18/2003	WIPO		
	279.	WO 03/079940	10/02/2003	WIPO		
	280.	WO 03/096870 A2	11/27/2003	WIPO		Abstr
	281.	WO 2004/001569 A2	12/31/2003	WIPO		
	282.	WO 04/046754 A2	06/03/2004	WIPO		
	283.	WO 2005/039430 A2	05/06/2005	WIPO		

2104223

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NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	311.	Barnes, <i>et al.</i> , "Unicompartmental Knee Arthroplasty," <i>Bombay Hospital Journal</i> , Issue Special, pp. 1-5, www.bhj.org/journal/1996/3803_july/special_486.htm	
	312.	Bonutti, <i>et al.</i> , "Minimal Incision Total Knee Arthroplasty Using the Suspended Leg Technique," <i>Orthopedics</i> , (published September 2003), 6 pages http://www.orthobluejournal.com/0903/9tips.asp	
	313.	Bonutti, "Total Joint Replacement Surgery in the 21 st Century – New 'Limited-Incision' Total Knee Replacement Offers Important Advantages," 01 page (undated)	
	314.	Croitoru, <i>et al.</i> , "Fixation-Based Surgery: A New Technique for Distal Radius Osteotomy," <i>Clinical Paper, Computer Aided Surgery</i> 2001, 160-169, Vol. 6 (2001)	
	315.	Delp, <i>et al.</i> , "Computer-Assisted Knee Replacement," <i>Clinical Orthopaedics and Related Research</i> , 354:49-56 (1998)	
	316.	Deluzio, <i>et al.</i> , "Static alignment and the adduction moment in unicompartmental arthroplasty patients," Presented at NACOB 98: North American Congress on Biomechanics, University of Waterloo, Ontario, Canada, August 14-18, 1998	
	317.	DiGioia, <i>et al.</i> , "Computer Assisted Orthopedic Surgery," <i>Clinical Orthopaedics and Related Research</i> , September 1998, Volume 354, pp. 8-16	
	318.	Ellis, <i>et al.</i> , "A Surgical Planning and Guidance System for High Tibial Osteotomy," <i>Journal of Computer-Assisted Surgery</i> , 4(5):264-274 (1999)	
	319.	Foley, <i>et al.</i> , "Percutaneous pedicle screw fixation of the lumbar spine," <i>Neurosurg. Focus</i> , Vol. 10(4), pp. 1-8 (2001)	
	320.	Glossop, http://www.traxta.com/papers/cua/model.html , 8 pages (02/06/2002)	
	321.	Iyun, <i>et al.</i> , "Planning and Performing the Ilizarov Method with the Taylor Spatial Frame," Abstract, at 2 nd Annual Meeting of International Society for Computer Assisted Orthopaedic Surgery, June 21, 2002, pp. 145-147	
	322.	Kanade, <i>et al.</i> , "Image-Based Computer Assisted Orthopedic Surgery System," Bonecraft, Inc., 12 pages, April 30, 2001	
	323.	Kiefer, <i>et al.</i> , "Computer Aided Knee Arthroplasty Versus Conventional Technique – First Results," First Annual Meeting of the International Society for Computer Assisted Orthopedic Surgery, Davos, Switzerland, Feb. 8-10, 2001	
	324.	Kunz, <i>et al.</i> , "Development and Verification of a Non-CT Based Total Knee Arthroplasty System for the LCS Prosthesis," First Annual Meeting of the International Society for Computer Assisted Orthopedic Surgery, Davos, Switzerland, Feb. 8-10, 2001	

2104223

Examiner
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325.	Munoz, <i>et al.</i> , "Computer Assisted Planning of Hig Tibial Osteotomy for the Treatment of Knee Osteoarthritis," http://www.utc.fr/esb/esb09/abs_htm/570.html (02/21/2002) (three pages)	
326.	Picard, <i>et al.</i> , "Kneenav.TKR: Concept and Clinical Application," Computer Assisted Orthopedic Surgery USA 2000 Meeting, Pittsburgh, PA., June 15-17, 2000	
327.	Saragaglia, <i>et al.</i> , "Computer Assisted Total Knee Arthroplasty: Comparison with a Conventional Procedure. Results of a 50 Cases Prospective Randomized Study," First Annual Meeting of the International Society for Computer Assisted Orthopedic Surgery, Davos, Switzerland, Feb. 8-10, 2001	
328.	Simon, <i>et al.</i> , "The Fundamentals of Virtual Fluoroscopy," Medtronic Surgical Navigation Technologies, Medtronic, pp. 57-66, Computer Assisted Orthopedic Surgery USA 2000 Meeting, Pittsburgh, PA, June 15-17, 2000	
329.	Sugano, <i>et al.</i> , "Medical Robotics and Computer-Assisted Surgery in the Surgical Treatment of Patients and Rheumatic Diseases," <i>Cutting Edge Reports</i> , http://www.rheuma21st.com/archives/cutting_edge_Robotics_Japan.html (04/27/2000)	
330.	Suhm, <i>et al.</i> , "Adapting the C-Arm Fluoroscope for Image Guided Orthopaedic Surgery," <i>CAOS</i> , pp. 212-214 (2002)	
331.	Tenbusch, <i>et al.</i> , "First Results Using the Robodoc® System for Total Knee Replacement," First Annual Meeting of the International Society for Computer Assisted Orthopedic Surgery, Davos, Switzerland, Feb. 8-10, 2001	
332.	Valstar, <i>et al.</i> , "Towards computer-assisted surgery in should joint replacement," <i>ISPRS Journal of Photogrammetry & Remote Sensing</i> , 56:326-337 (2002)	
333.	Stryker Navigation System brochure entitled "...best alignment for gap kinematics," 6 pages (2001)	
334.	BrainLAB Brochure entitled "ORTHO...YOUR PARTNER FOR THE FUTURE" pp. 1-28 (2002)	
335.	Search Evolution Total Knee System - Relax - B. Braun Melsungen AG website http://www.orthopilot.com/index.cfm?uuid=26EA6AA4838D495B8A895420A83BD099&obj (3 pages, 09/02/2003)	*
336.	Patent Abstracts of Japan, vol. 2002, no. 05, 03 May 2002 & JP 2002 017740A (Ochi Takahiro; Yonenobu Sakuo: MMT:KK) 22 January 2002 Abstract	
337.	iON™ Smith & Nephew Orthopaedics Brochure entitled "You'll Never Look At Your Patients The Same Way Again." 10 pages (January 2001)	
338.	Smith & Nephew - Orthopaedics - TriGen Reducer http://www.smithnephew.com/US/Standard.asp?NodeID=2996 , one page (01/21/03)	
339.	Smith & Nephew - Orthopaedics - TriGen Flexible Reamer System http://www.smithnephew.com/US/Standard.asp?NodeID=2998 , 02 pages (01/21/03)	
340.	AO Development Institute "MEPUC Motorized Exact Positioning Unit..." one page (03/26/03) http://www.ao-asif.ch/development/adi/examples/mepuc.shtml	

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Considered

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341.	AO Development Institute "MEPUC Motorized Exact Positioning Unit for C-arm," one page (07/07/03) http://www.ao-asif.ch/development/adi/examples/mepuc.shtml	
342.	Smith & Nephew – Orthopaedics – CAS – Knees "Computer Assisted Total Knee Replacement Surgery, 02 pages (10/13/2004) http://ortho.smith-nephew.com/us/Standard.asp?NodeId=3396	
343.	Smith & Nephew ORTHOPAEDIC product bulletin , 01 page	
344.	Smith & Nephew Brochure entitled "Surgical Technique Mini Incision Hip Posterior Approach," 20 pages (03/03)	
345.	TRICON TOTAL KNEE SYSTEM, "TRICON-M® with PRO-FIT™ Surgical Procedures," RICHARDS Brochure, pp. 1-29 (undated)	
346.	SMITH & NEPHEW RICHARDS GENESIS® TOTAL KNEE SYSTEM, "REVISION POSTERIOR REFERENCING INSTRUMENTAION SURGICAL TECHNIQUE," Brochure, pp. 1-51 (12/1993)	
347.	SMITH & NEPHEW RICHARDS GENESIS® "TOTAL KNEE SYSTEM PRIMARY SURGICAL TECHNIQUE ANTERIOR REFERENCING INSTRUMENTATION," PP. 59 (12/1993)	
348.	SMITH & NEPHEW GENESIS II "TOTAL KNEE SYSTEM PRIMARY SURGICAL TECHNIQUE," Brochure, pp. 1-36 (03/2001)	
349.	Smith & Nephew First Choice in Orthopaedics Brochure Entitled "ACHIEVE Computer Assisted Surgery Trauma Applications The Orbiter Base Station & Satellite Surgical Platform," 18 pages (undated)	
350.	Medtronic Surgical Navigation Technologies SNT VERTEK photograph, one page (undated)	
351.	Medtronic Surgical Navigation Technologies System Components photograph VERTEK PLATFORM, one page (undated)	
352.	Medtronic Surgical Navigation Technologies "Overview Image-Guided Surgery An Advanced Solution to Traditional Surgery," two pages (undated)	
353.	BONECRAFT CARNEGIE MELLON COMPUTER-AIDED BONE DEFORMITY CORRECTION Brochure, pp 1-5 (undated)	

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